

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MORGAN HOWARTH,  
Plaintiff,

-v-

FORM BIB, LLC,  
Defendant.

18-CV-7047 (JPO)

ORDER ADOPTING REPORT AND  
RECOMMENDATION

J. PAUL OETKEN, District Judge:

Plaintiff Morgan Howarth brings this suit against Defendant FORM BIB, LLC alleging a single count of copyright infringement under the Copyright Act, 17 U.S.C. § 101 *et seq.* (Dkt. No. 1.) Default judgment was entered against Defendant on May 6, 2019. (Dkt. No. 23.) The case was referred to Magistrate Judge Sarah Netburn for a report and recommendation on the amount of damages and attorney’s fees to award Plaintiff. (Dkt. No. 24.) Magistrate Judge Netburn conducted a thorough and careful inquest and issued a Report and Recommendation (the “Report”) that this Court award damages and fees as specified in the Report. (Dkt. No. 28.) The Court has reviewed the Report.

No party filed a timely objection to the Report; therefore the Court reviews it for clear error. *See* Fed. R. Civ. P. 72(b), Advisory Committee’s Notes (1983) (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”); *see also Borcsok v. Early*, 299 F. App’x 76, 77 (2d Cir. 2008). Magistrate Judge Netburn’s well-reasoned Report presents no such errors and is therefore fully adopted by this Court.

Accordingly, damages and fees are awarded as calculated in the Report.

Plaintiff is directed to serve a copy of this Order on Defendant.

The Clerk of Court is directed to enter judgment accordingly close this case.

SO ORDERED.

Dated: June 22, 2020  
New York, New York



J. PAUL OETKEN  
United States District Judge